

REMARKS

Claims 1-3 are pending. Claims 1 and 3, the independent claims, have been amended to improve their idiomatic English without narrowing their scope.

The “oath” was objected to as allegedly being informal for reasons such as not being authenticated by a consular official. However, no oath has been filed in this application. What was filed in this application was a Combined Declaration and Power of Attorney. Declarations do not need to be sworn before any diplomatic official. 37 C.F.R. 1.66, cited by the Examiner, does not apply in this case (since no oath was filed) and it is unclear why the Examiner thought that it did, considering that the Combined Declaration and Power of Attorney is clearly labeled. It is requested that the Examiner withdraw the rejection in the next Office Action.

Claims 1 and 3 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 1 and 3 have been amended to delete the term “is arranged,” which is believed superfluous. Since terms have been removed from the claims, any conceivable change in scope would be to broaden the claims. The amended claims are believed to conform fully to the requirements of Section 112, second paragraph. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1-3 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,118,771 (Tajika et al.). Applicants traverse and submit that the independent claims are patentable over Tajika et al. for at least the following reasons.

Claim 1 is directed to an inter-network connection system. The system includes: IP layer switching means for switching an arrival frame to a predetermined route according to an IP table in which a physical transmission path and a logical channel corresponding to an IP

address are recorded; and MAC layer switching means for switching an arrival frame to a predetermined route according to a MAC table in which a physical transmission path and a logical channel corresponding to a MAC address are recorded. A plurality of physical transmission paths are arranged between the IP layer switching means and the MAC layer switching means. The IP table includes means for, each time a frame from the MAC layer switching means arrives, updating self-table contents according to the IP address of the frame and the information of a physical transmission path and a logical channel through which the frame passes. The MAC table includes means for, each time a frame from the IP layer switching means arrives, updating self-table contents according to the MAC address of the frame and the information of a physical transmission path and a logical channel through which the frame passes, means for detecting fault generation of the plurality of physical transmission paths is arranged, and means for updating the IP table such that a physical transmission path in which a fault is detected according to the detection result is bypassed.

Tajika et al. shows a system that allows multicasting to specific terminals designated by a MAC address on the basis of a received IP address. In particular, in communicating with a plurality of interconnected networks, each network has a table that includes at least a relationship between a low-level layer address required for intra-network communication between the respective terminals connected to a given network and a high-level layer address required for inter-network communication. Network administration information is collected, and at least the low-level layer addresses in the table are updated on the basis of the collected network administration information. Packet transfers between the terminals through the plurality of networks are conducted by using the looking up table.

In the Office Action, the position was taken that the IP layer switching means and the MAC layer switching means both were taught by col. 8, line 66 through col. 9, line 7, and col. 4, lines 14-67 of Tajika et al.. However, the cited portions of Tajika et al. do not teach what is recited. Col. 8, line 66 through col. 9, line 7 merely states that for intra network

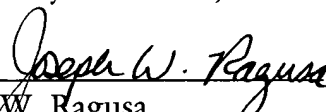
communication a MAC address is used, and for inter network communication an IP address is used. Col. 4, lines 14-67 simply describes the basic workings of Tajika et al., as described in the foregoing. In particular, only one type of table is referred to in this portion. For at least this reason, no prima facie case of anticipation has been set forth in the Office Action with regard to claim 1. Independent claim 3 recites similar features and is believed patentable for similar reasons.

The other claim in this application is dependent from independent claim 1 discussed above and is therefore believed patentable for the same reasons. Since the dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of that claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Dated: January 3, 2005

Respectfully submitted,

By 
Joseph W. Ragusa
Registration No.: 38,586
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicant